GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2289
ANSWERED ON:10.03.2015
INVESTIGATION OF CRIMES
Hari Shri G.

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that majority of the States have opposed creation of special cadre to investigate crimes;

(b) if so, the details thereof;

(c) whether the Government has initiated the process of ushering major police reforms afresh and if so, the details thereof;

(d) whether the major police reforms which the Government is intending to implement is likely to take care of the need for special crime probe cadre; and

(e) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a): No, Mdam.

(b): Does not arise.

(c) to (e): In Writ Petition (Civil) No. 310 of 1996- Prakash Singh & others, the Hon'ble Supreme Court of India passed seven directive on 22nd September, 2006. Fourth direction is related to "Separate investigating police from law and order police, starting with towns/urban areas having population of ten lakhs or more, and gradually extend to smaller towns/urban areas also."

A copy of the judgement was sent to all State Governments/union Territories for information and further necessary action. So far, 19 States Government/UTs have either implemented or agreed to enact the directions of Supreme Court in their State Police Act.

"Public Order" and "Police" are "State Subjects" falling in Entry 1 & 2 of List-II of the Seventh Schedule of the Constitution of India and therefore, the responsibility for implementation of the directions of the Hon'ble Supreme Court falls within the domain of the State Governments/Union Territories (UTs) Administrations. Since the subject is under hearing in Hon'ble Supreme Court, matter is subjudice. The Hon'ble Supreme Court is monitoring the implementation of its directives separately with State Governments.